

BROWN GAVALAS & FROMM LLP
Attorneys for Defendant
JALAPA SHIPPING LIMITED
355 Lexington Avenue
New York, New York 10017
212-983-8500

UNITED STATES DISTRICT COURT SOUTHERN
DISTRICT OF NEW YORK

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JALAPA SHIPPING LIMITED,

07 Civ. 8715 (RJH)

Plaintiff,

- against -

SUNDERSONS LTD., MILAN NIGERIA LTD.,
SIMRAN MEHER LTD. and VALECHHA
HOLDINGS LIMITED,

Defendants.
-----X

**AFFIDAVIT IN
OPPOSITION TO NON-
PARTY'S APPLICATION
TO VACATE MARITIME
ATTACHMENT
REGARDING CERTAIN
FUNDS BEING HELD BY
AMERICAN EXPRESS
BANK LTD.**

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

PETER SKOUFALOS, being duly sworn, deposes and says:

1. I am a member of the firm of Brown Gavalas & Fromm LLP and of this Honorable Court. I submit this affidavit in opposition to the application of non-party, Conti-Agro Nigeria Limited ("Conti-Agro"), to release the amount of \$163,730.00, which has been attached by American Express Bank Ltd. pursuant to the Order of this Court.

2. I have previously opposed Conti-Agro's application in letters to the Court dated November 20 and November 26, 2007. Copies are annexed hereto as Exhibit "A".

3. In addition, counsel for American Express Bank Ltd., the garnishee bank currently restraining the funds pursuant to this Court's Order, has also written to the

Court to address Conti-Agro's application. A copy of the letter of Barry J. Glickman, Esq., dated November 21, 2007 is annexed hereto as Exhibit "B".

4. Annexed hereto as Exhibit "C" is the docket sheet and voluntary dismissal from *Allied Maritime Inc., et al. v. Milan Nigeria Ltd.*, 07 Civ. 3522 (PKC). The funds at issue (\$163,730.00) were originally attached in this action.

5. Annexed hereto as Exhibit "D" is a page from <http://www.supplyNbuy.com>, a website I visited on December 28, 2007. The website contains an entry (and address) for defendant Milan Nigeria Limited and describes "Conti-Agro Nigeria Limited" as an "associate company."

6. Annexed hereto as Exhibit "E" is a page from <http://www.alibaba.com>, a website I also visited on December 28, 2007. The website contains an entry (and address) for Conti-Agro. As can be seen, defendant Milan Nigeria and Conti-Agro share the identical address in Lagos, Nigeria. In addition, Exhibit "D" identifies the "legal representative/business owner" of Conti-Agro as Ramesh Valechha.

7. Annexed hereto as Exhibit "F" is an email from Ramesh Valechha dated September 17, 2007. As can be seen, Mr. Valechha uses the email account of the "Milan Group." Additional Internet searches reveal that Mr. Valechha is also the chairman of the Milan Industries Limited, which is believed to be the parent corporation for all the defendants in this matter, as well as Conti-Agro. See Exhibit "F" annexed hereto.

8. Annexed hereto as Exhibit "G" is a page from <http://europe.bloombiz.com>, a website I also visited on January 2, 2008. The website contains an entry for the defendant, Milan Nigeria, and promotes "raw cashew nuts". As can be seen from Exhibit "E," Conti-Agro main "product/service" also advertises "raw

cashew nuts in shell.” Other business-to-business portals readily available on the Internet indicate that defendant Milan Nigeria Limited directly offers all the commodities linked to Conti-Agro in Exhibit “E”.

9. The defendants’ own website at www.milannigeria.com was not available as of the date of this affidavit. Annexed hereto as Exhibit “H” is a print-out from the defendants’ website indicating that it is currently “under maintenance”.

Dated: New York, New York
January 2, 2008


Peter Skoufalos (PS-0105)

Sworn to before me this 2nd day
January, 2008



NOTARY PUBLIC

EVAN B. RUDNICKI
Notary Public of the State of New York
No. 02RUG142614
Qualified in Rockland County
Term Expires March 10, 2010 